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USIB-D-39.5/23
21 August 1967

UNITED STATES INTELLIGENCE BOARD

MEMORANDUM FOR THE UNITED STATES INTELLIGENCE BOARD

SUBJECT : Release of Intelligence to the Center for
Naval Analyses

REFERENCES : a. USIB-D-39.5/22, 20 July 1967
b. USIB-D-39.5/19, 26 August 1963 (Final
USIB Approved - Revised 7 August 1965)

1. The attached memorandum from the Chairman of the Committee on Documentation (CODIB) is circulated herewith for Board consideration of the CODIB recommendations in paragraph 9. These recommendations respond to a Navy request attached to reference a., that the provisions of the USIB policy on release of intelligence to contractors in reference b. be waived for the dissemination of intelligence to the Center for Naval Analyses (CNA).

2. As explained in paragraphs 10 and 11, CODIB members were split on the recommendations in paragraph 9 with CIA, NSA, Navy, Army and Air Force supporting them and the State and DIA members opposing them.

3. Accordingly, it is planned to schedule the attached memorandum on the USIB agenda for consideration at an early meeting of the Board.

Regular D
plus 100 copies to CODIB

Executive Secretary

Attachment:
CODIB 42/22, dated 18 August 1967

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downgrading and
declassification

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CODIB-D-42/22
18 August 1967

MEMORANDUM FOR: Chairman, United States Intelligence Board

SUBJECT : Release of Intelligence to the Center for
Naval Analyses

REFERENCES : a. USIB-D-39.5/22, 20 July 1967

b. USIB-D-39.5/19, 26 August 1963
(Revised 7 August 1965)

1. This memorandum, at para. 9, recommends USIB action on Admiral Fluckey's request that the provisions of USIB's policy on release of intelligence to contractors be waived in the case of the Center for Naval Analyses, an instrumentality of the University of Rochester under contract with the Chief of Naval Research.

2. In considering this case, as we did in earlier proposals for releasing intelligence to contractors, CODIB started with the basic proposition that intelligence should be made available to those who need it for national security purposes. Once the need has been established, the corollary objective has been to make intelligence accessible on a timely basis and with the fewest controls consistent with its safe-keeping.

3. On various past occasions we have considered requests that special consideration be accorded to contractors having a special relationship to the contracting intelligence agency--RAND and the Air Force, RAC and the Army, IDA and Defense, CENIS and CIA, DRD/LC and DIA. Each of those cases was decided on specific rather than general merit. And it is on the specifics of the current CNA case that we have arrived at our recommendations.

4. The evidence produced by the Navy, and subsequent CODIB investigation, supports the need of the Center for Naval Analyses (CNA) for a broad range of intelligence on a continuing basis. We are also satisfied that the controls exercised, or exercisable, by CNA offer safeguards fully comparable to those provided by the intelligence community itself.

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5. The Navy-CNA contractual arrangement is aimed exclusively at providing a product superior to that which could be produced within the Navy itself, and at maintaining a degree of Navy control over the organization equal to that exercised over integral parts of the Naval establishment. Specifically: CNA is an essential component of the Navy's planning effort; CNA's program is wholly responsive to Navy's exclusive direction; no subcontractors are involved; CNA works exclusively for the Navy; personnel turnover is below the average in the intelligence community; all CNA employees are cleared for SECRET or above; CNA's output is virtually all classified, mostly SECRET; that output goes exclusively to the Navy; and, the Navy alone decides what use to make of it.

6. We have concluded that the Navy-CNA relationship is sufficiently close to justify a special arrangement to facilitate the flow of intelligence to CNA. We note however that the materials most useful to CNA's long-range planning role are also intelligence's most sensitive products (e.g., NIEs, SNIEs and NIPPs). Access to NIEs and SNIEs must remain, we believe, either through release of content over the by-line of a USIB member, or, through disclosure to consultants on the premises of a USIB member. These are not overly-burdensome means of supporting a contract running to \$9 million per annum.

7. As to NIPPs, these are of equal or greater sensitivity. Short of securing their release through consultation with the Secretary of Defense for whom they are produced, CODIB believes that CNA's requirements must be met in some other way. We have considered whether the DIA-produced Joint Intelligence Estimates for Planning (JIEP), compiled in part from the NIPPs, could be used to meet CNA's need. For several reasons this is not feasible. A feasible solution would be for USIB to authorize its members to release NIPP content without attribution, as they may now do in the case of NIEs under USIB-D-39.5/19, para. 2.a. This would provide CNA with needed guidance under DNI attribution, and safeguard the fact that the data might often be identical to the USIB projections.

8. We exclude as undesired and undesirable any proposal to decrease present controls over materials classified TOP SECRET or bearing special system control markings (e.g., code word materials handled in special compartments). However, some relief could be provided by permitting the Navy to relax some of the rigid requirements for keeping records on materials SECRET and below. Additionally it would be helpful to permit release of materials SECRET or below also bearing the special marking CONTROLLED DISSEM without referral to the originating agency.

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9. In view of the above considerations we recommend:

- a. That the Navy be granted a waiver of para. 1.g. of USIB-D-39.5/19 in releasing to CNA intelligence products of USIB agencies carrying security classifications not higher than SECRET, provided these products do not bear special system markings.

(Note: This would permit Navy to relieve CNA of the requirement for keeping a special detailed list of individuals who have had access to the materials in CNA custody.)

- b. That the Navy be authorized to release intelligence through SECRET and bearing the special marking CONTROLLED DISSEM, except for CIA Information Reports bearing this marking.



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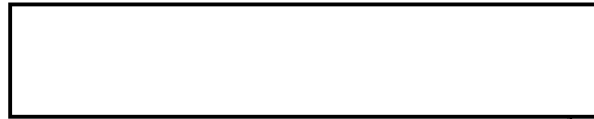
- c. That National Intelligence Estimates (NIE) and Special National Intelligence Estimates (SNIE) not be released, except as to content without identification as national intelligence over the by-line of the Director of Naval Intelligence or the Director, Defense Intelligence Agency.
- d. That National Intelligence Projections for Planning (NIPP) not be released, but that USIB consider the extension of the policy applicable to the release of NIE content without attribution to include NIPPs as well.

10. Please note that CODIB was split on the above recommendations, which were proposed by the Chairman. The CIA, NSA, Navy, Army and Air Force members support them. The DIA member opposes any special treatment of CNA because opening the door to CNA would lead to pressure to do the same for other contractors such as RAND, RAC and IDA. The State member shares this view and in addition believes that knowledge by the analyst that his product might go to a contractor could inhibit free and objective analysis.

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11. The response of those of us who support the recommendations is: (a) a judgment by USIB that a special facility can be trusted to receive information required in the interest of national security is all the reassurance an analyst needs. Indeed, analysts are usually concerned lest the intelligence they produce at such cost and effort be not fully used. (b) To those anxious that opening the door to one would lead to the admittance of others we say: let each case be judged separately, on its own merits, with no implication of general applicability.



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PAUL A. BOREL
Chairman
USIB Committee on Documentation

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